

FILED
U.S. DISTRICT COURT

2012 MAR -6 P 2:15

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

BY: _____
DEPUTY CLERK

DARRELL GARCIA

Plaintiff,

vs.

PATTERSON-UTI DRILLING

Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:11-cv-742

Judge Dee Benson

Before the Court is the Report and Recommendation issued by United States Magistrate Judge David Nuffer on February 13, 2012, recommending that this case be dismissed without prejudice.

This case was referred to the magistrate judge to conduct an initial pretrial conference under DUCivR72-1. The conference was scheduled for January 11, 2012 at 10:30 a.m. and pro se Plaintiff, Darrell Garcia ("Plaintiff"), failed to appear. (Dkt. No. 28). The court therefore issued an Order to Show Cause why the cause should not be dismissed. (Dkt. No. 29). Plaintiff was specifically ordered to inform the court of the status of the case and intentions to proceed. *Id.* Plaintiff failed to respond to the Order to Show Cause.

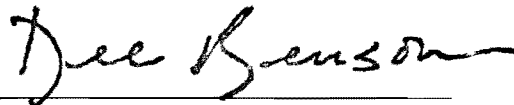
Based on Plaintiff's failure to appear at hearings or participate in developing a schedule in the case, and failure to respond to the Order to Show Cause, the magistrate judge

recommended that this case be dismissed without prejudice. (Dkt. No. 32).

The parties were notified of their right to file objections to the Report and Recommendation within fourteen days after receiving it. Neither party has filed such an objection.

Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the Court ADOPTS the Report and Recommendation and hereby dismisses the case without prejudice.

DATED this 6 day of March, 2012.

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Dee Benson
United States District Judge